UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

Timothy Erwin,	:	
Plaintiff,	:	**Case No. 1:16-cv-1166**
vs.	:	**Judge Michael R. Barrett**
Village of Morrow, Ohio,	:	
Defendant.	:	

INTERROGATORY NO. 1

Has Plaintiff proven, by the preponderance of the evidence that Defendant terminated Plaintiff's employment in violation of the ADA, as described in the instructions? Check applicable answer.

Yes __X__

No _____

1. ████████   5. ████████

2. ████████   6. ████████

3. ████████   Foreperson

4. ████████

Dated: May _7_, 2021.

All six jurors must concur. Please sign in ink.

If your answer is "No," this ends your deliberations on the ADA claim, and you must move to Interrogatory No. 4. If your answer is "Yes," go to Interrogatory No. 2.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

Timothy Erwin,   :
                                    :
            Plaintiff,   : Case No. 1:16-cv-1166
                                    :
    vs.   : Judge Michael R. Barrett
                                    :
Village of Morrow, Ohio,   :
                                    :
            Defendant.   :
                                    :
                                    :
                                    :
                                    :

INTERROGATORY NO. 2

Has Plaintiff proven, by the preponderance of the evidence, that Plaintiff should be awarded damages under the ADA? Check applicable answer.

Yes __X__

No _____

If your answer is "Yes," in what amount(s)?

Compensatory damages $ _101,500.00_
Back pay $ _210,000.00_
Future pay $ _140,000.00_

1. ▮▮▮▮▮▮▮▮▮▮▮▮   5. ▮▮▮▮▮▮▮▮▮▮▮

2. ▮▮▮▮▮▮▮▮▮▮▮   6. ▮▮▮▮▮▮▮▮▮▮▮

3. ▮▮▮▮▮▮▮▮   Foreperson

4. ▮▮▮▮▮▮

Dated: May _7_, 2021.

All six jurors must concur. Please sign in ink.
If you answered "Yes" to interrogatory numbers "1" and "2", proceed to Interrogatory No. 3.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

Timothy Erwin,   :
                                            :
            Plaintiff,   :   Case No. 1:16-cv-1166
                                            :
       vs.   :   Judge Michael R. Barrett
                                            :
Village of Morrow, Ohio,   :
                                            :
            Defendant.   :
                                            :
                                            :
                                            :

INTERROGATORY NO. 3

If you answered "Yes" to interrogatory numbers "1" and "2", then determine if Defendant proved, by the preponderance of the evidence, that Plaintiff failed to mitigate his damages under the ADA? Check applicable answer.

Yes _____

No _X_____

If your answer is "Yes," in what amount did Defendant prove, by the preponderance of the evidence, that your award of Damages to Plaintiff should be reduced? $_____.

1. ████████████████   5. ██████████████████████

2. ████████████████   6. ██████████████████████

3. ██████████████   Foreperson

4. ████████

Dated: May _7_, 2021.

All six jurors must concur. Please sign in ink.

This ends your deliberations as to Plaintiff's ADA claim. Proceed to Interrogatory No. 4.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO

WESTERN DIVISION

Timothy Erwin,   :
                                            :
                Plaintiff,   :
                                            :   Case No. 1:16-cv-1166
        vs.   :
                                            :   Judge Michael R. Barrett
Village of Morrow, Ohio,   :
                                            :
                Defendant.   :
                                            :
                                            :
                                            :
                                            :
                                            :

INTERROGATORY NO. 4

Has Plaintiff proven, by the preponderance of the evidence, that Defendant terminated Plaintiff because of his age? Check applicable answer.

Yes _____

No _X___

1. ████████████████   5. ████████████████

2. ████████████████   6. ████████████████

3. ████████████   Foreperson

4. ████████████

Dated: May _7_, 2021.

All six jurors must concur. Please sign in ink.

If your answer is "No," this ends your deliberations on the ADEA claim, and you must move to Interrogatory No. 8. If your answer is "Yes," go to Interrogatory No. 5.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

Timothy Erwin,

Plaintiff,

vs.

Village of Morrow, Ohio,

Defendant.

:
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:
: Case No. 1:16-cv-1166
:
: Judge Michael R. Barrett
:
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INTERROGATORY NO. 8

Has the Plaintiff proven, by the preponderance of the evidence that Defendant intentionally engaged in conduct that was so outrageous in character, and so extreme in degree, as to go beyond all possible bounds of decency, and to be regarded as atrocious, and utterly intolerable in a civilized community? Check applicable answer.

Yes __X__

No _____

1. ███████████████

2. ███████████████

3. ███████████

4. ███████████

5. ███████████████

6. ███████████████

Foreperson

Dated: May 7 , 2021.

All six jurors must concur. Please sign in ink.

If your answer is "No," this ends your deliberations on the intentional infliction of emotional distress claim, and you have completed all of the interrogatories. Proceed to the Verdict Form. If your answer is "Yes," go to Interrogatory No. 9.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

Timothy Erwin,

   Plaintiff,

    vs.

Village of Morrow, Ohio,

   Defendant.

:
:
:
: Case No. 1:16-cv-1166
:
: Judge Michael R. Barrett
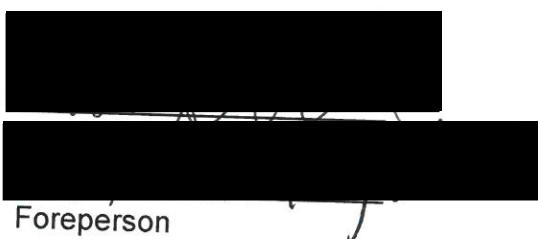:
:
:
:
:
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INTERROGATORY NO. 9

Has the Plaintiff proven, by the preponderance of the evidence, that he suffered a psychic injury as a result of the intentional infliction of emotional distress by Defendant? Check applicable answer.

Yes __X__

No _____

1. ████████████████

2. ████████████████

3. ██████████████

4. ██████████████

5. ████████████████

6. ████████████████
  Foreperson

Dated: May __7__, 2021.

All six jurors must concur. Please sign in ink.

If your answer is "No," this ends your deliberations on the intentional infliction of emotional distress claim, and you have completed all of the interrogatories. Proceed to the Verdict Form. If your answer is "Yes," go to Interrogatory No. 10.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

Timothy Erwin,

          Plaintiff,

          vs.

Village of Morrow, Ohio,

          Defendant.

Case No. 1:16-cv-1166

Judge Michael R. Barrett

INTERROGATORY NO. 10

Has Plaintiff proven, by the preponderance of the evidence that he suffered any damages as a result of intentional infliction of emotional distress by Defendant? Check applicable answer.

Yes _X_

No ____

If your answer is "Yes," in what amount? $ 330,000.ᵒᵒ

1. ████████████

2. ████████████

3. ████████████

4. ████████████

5. ████████████

6. ████████████

       Foreperson

Dated: May _7_, 2021.

All six jurors must concur. Please sign in ink.

This ends your deliberations. Proceed to the Verdict Form.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

Timothy Erwin,   :

         Plaintiff,   :   Case No. 1:16-cv-1166

         vs.   :   Judge Michael R. Barrett

Village of Morrow, Ohio,   :   Verdict Form for Plaintiff

         Defendant.   :
                                    :

We, the Jury, do hereby find in favor of Plaintiff, Timothy Erwin, and award total damages in amount of $ __781,500. ⁰⁰__ .

1. ████████████████████

2. ████████████████████

3. ███████████████

4. ████████████████████

5. ███████████████████████

6. ████████████████████████████

     Foreperson

Dated: May __7__, 2021.

All six jurors must concur. Please sign in ink.